

**AMENDMENTS TO THE DRAWINGS**

Please substitute the attached replacement drawings of Fig. 1 and Fig. 2 for the drawings previously submitted.

Figure 1 has been amended by adding the language “Prior Art” above the drawing, in order to specify that the organic electroluminescent device schematically depicted in Figure 1 is a convention device that is in the prior art (i.e., is “old”).

Figures 1 and 2, which appeared on a single sheet in the application as filed have also been separated into two Replacement Sheets, ½ and 2/2.

No new matter has been added by this amendment.

**REMARKS**

Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

**I.      Status of the Claims**

In the Office Action Summary, the Examiner states that:

claims 1-12 are pending;

claims 1-7, 11 and 12 are rejected; and

claims 8-10 are objected to.

Additionally, in the body of the Office Action, the Examiner states that claims 2 and 4 are objected to.

**II.     Claim Objections**

Claims 2 and 4 are objected to because of improper punctuation. In accordance with the Examiner's suggestion, Applicants have amended claims 2 and 4 to each end with a period. Applicants respectfully request withdrawal of the objection.

Claims 8-10 are objected to as depending from a rejected base claim (claim 1). Applicants submit herewith a Terminal Disclaimer to overcome the rejection of claim 1. Accordingly, the objection to claims 8-10 is rendered moot, and Applicants respectfully request withdrawal of the objection.

### **III. Claim Rejections Under 35 U.S.C. § 112**

Claims 2-4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has suggested putting the word “and” before the final chemical structure listed in each of the claims, in order to clarify the listing of structures as a Markush Group. Applicants have amended claims 2-4 accordingly, and respectfully request withdrawal of the objection.

### **IV. Terminal Disclaimer**

Claims 1-6, 11 and 12 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4, 6, and 10-14 of copending Application No. 11/377,474. Although the conflicting claims are not identical, they are not patentably distinct from each other because while the claims are not identical there is substantial overlap between the present claims and the copending application.

Further, claim 7 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 11/377,474. Although the conflicting claims are not identical, they are not patentably distinct from each other because while the claims are not identical there is substantial overlap between the present claims and the copending application.

Applicants submit herewith a Terminal Disclaimer over copending Application No. 11/377,474, thus rendering moot the aforesaid provisional rejections on the ground of nonstatutory

obviousness-type double patenting. Accordingly, Applicants respectfully request withdrawal of these rejections.

**CONCLUSION**

In view of the above amendments and remarks, Applicants believe the pending application and all pending claims are in condition for allowance, and earnestly solicit same.

If the Examiner feels that any remaining issues can be resolved by a Supplemental or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: May 4, 2009

Respectfully submitted,

By   
Andrew K. Holmes, Ph.D.  
Registration No.: 51,813  
DARBY & DARBY P.C.  
P.O. Box 770  
Church Street Station  
New York, New York 10008-0770  
(212) 527-7700  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant

Attachments